

culminated a hard-fought campaign, and it was a hard-won victory of civil rights leaders like Dr. King and John Lewis, who committed themselves—literally, committed their bodies, their physical well-being—to advance the rights of others in the face of violent opposition. They were beaten, sometimes near death.

And, for decades, the Voting Rights Act remained a crucial bulwark. It was retained and defended against insidious efforts to roll back the clock until—until—the U.S. Supreme Court did that work for opponents. In 2013, in *Shelby County*, the U.S. Supreme Court gutted the highly effective preclearance regime, thereby jeopardizing the progress that the Voting Rights Act made over the course of half a century in protecting against those voter suppression efforts throughout the country.

Justice Ginsburg said it best in her powerful dissent in *Shelby County* when she wrote that Congress enacted the Voting Rights Act preclearance requirement “to cope with this vile infection” of racial discrimination which “resembled battling the Hydra. Whenever one form of voting discrimination was identified and prohibited, others sprang up in its place.”

And the time to protect those voting rights is before they are restricted, and that is why preclearance was so important and why the John Lewis Voting Rights Advancement Act now must be enacted into law.

We come here after a year that has seen the most destructive legislative session for voting rights in generations, with States and localities returning to the “conniving methods,” as Dr. King called them—“conniving methods” of voter suppression that block people from getting to the polls and making their votes count—and undermines our democracy because, as the Founders sought to do, representative government means representing the people who are affected by these policies enacted by the Federal Government. And that means representation that enables every person to vote and to have that vote count.

There are no guarantees that rights will be protected in this country. The fight for voting equality has faced continuous, often violent resistance and enormous opposition, including from within this Congress, and now by a rule, a filibuster that will prevent the majority from protecting those rights.

The effort to change the filibuster is very simply an effort to convert it from a secret to a public debate mechanism—secret to public. We will vote tomorrow on a rules change that provides for a means to make majority rule count—not to abolish the filibuster but to make it public instead of secret.

As my distinguished colleague Senator WARNOCK posed the question in this Chamber last month, we want it to be bipartisan but, as he said, “bipartisanship at whose expense?” And as he also said, clearly in this country, “some people don’t want some people

to vote.” And the filibuster is a handy means of preventing reforms that secure the right to vote.

Historic denials of individual basic liberties and political freedoms have long garnered bipartisan support and have required courage and conviction to overcome, and that is why we must change the rules tomorrow.

Dr. King never quit. He never stopped fighting. As he said—I think I am quoting him correctly—disappointment is finite, but hope is infinite. And so, even if we are defeated tomorrow, we will continue this effort to eliminate dark money, to provide for disclosure, to stop State legislatures from eliminating districts in a way that knocks Representatives out of their seats and results in gerrymandering that is anti-democratic.

For decades, Members of this Chamber have deployed the filibuster to delay and block legislation that would have promoted voting rights by ending poll taxes and literacy tests, safeguarded against workplace discrimination, and advanced civil rights in this country. The filibuster has been used to block those kinds of efforts to promote voting rights.

The longest filibusters in this Chamber’s history were deployed to stop the Civil Rights Act of 1957 and 1964, a testament to this tool’s history as a weapon against the advancement of civil rights. And Dr. King himself lamented that “tragedy [of] . . . a Senate that has a minority of misguided Senators who will use this filibuster to keep the majority of people from even voting.”

We cannot continue to allow these kinds of procedural tactics to stand in the way of defending against a new era of hostility toward voting rights of people in this country. We must protect the right to vote. It should not be a partisan issue.

In fact, voting rights are widely supported throughout American society. Those civil rights measures were supported by bipartisan majorities in those years of 1957 and 1964 and in the renewal since then. Photographs showing Members of both parties at bill signing attest powerfully to the bipartisan support this cause has enjoyed throughout its history.

Since the original inception of the Voting Rights Act in 1965, overwhelming, bipartisan majorities of both Houses of Congress have reauthorized the Voting Rights Act five times.

For nearly a century after the Civil War and before the Voting Rights Act, the scourge of racial discrimination in voting challenged our Nation’s core commitment, our basic value as a country.

From that century of sacrificing and suffering, so embodied by Dr. King, came the Voting Rights Act and its extraordinary commitment to realizing our Nation’s highest ideals, the best in America. For decades, it worked. In one decision and its progeny, the U.S. Supreme Court undercut and undermined those rights, and now we face

this tsunami of voter suppression bills crashing against America.

We must defend America. We must secure those rights and liberties, just as we come to the aid of countries like Ukraine that resist attack on their independence. We must renew our Nation’s commitment to protecting voting rights in this country. And tomorrow, we will do it. Tomorrow, we will vote. Members will be held accountable. We will be on record. And I hope my colleagues will do the right thing for America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

H.R. 5746

Mr. CASEY. Mr. President, I rise tonight to speak about the voting legislation that we are debating on the floor. Like so many of my Democratic colleagues, I rise along with those Democratic colleagues in calling for comprehensive Federal legislation to turn back the avalanche of voter suppression legislation in various States, all of it—all of it—animated by the Big Lie about the 2020 election. We will talk more about that in a moment.

It is clear to me that Republican politicians across the Nation in State capitals and even here in Washington are attempting to make it harder for tens of millions of Americans to register to vote, to cast their vote, and they are even making it harder, of course, for every vote to count.

This is a subversive threat. It is a subversive threat to our democratic institutions. I believe it is a clear and present danger to our elections and also a clear and present danger to our stability as a nation, and, of course, it is a clear and present danger and a direct threat to our democracy itself.

Just by way of a significant example, consider what happened in just one State in the last couple of years, in Pennsylvania. I will start with a historical backdrop.

Pennsylvania, like a lot of States, had a high-water mark of voting in 1960 in the election between John F. Kennedy and Richard M. Nixon, and then in 1964, the numbers were very high as well. So in 1960, about right at—almost exactly 70 percent of the voting-age population voted, but after 1960 and 1964, you had a precipitous drop that occurred every 4 years. Some years, it would go up a little higher; other years, it would go back down. But we never got, in 60 years, to that level again.

For example, just the most recent two elections before 2020 in Pennsylvania—in the 2012 election, 5.74 million

people voted. That was 57 percent of the voting-age population, so down from that high-water mark of 70 percent in 1960. Twenty-sixteen was a big turnout in our State.

The year 2016 was a big turnout in our State. We had more voters than 2012. It was 6.1 million voters, and it went from 57 in 2012 to 61, so it got over that 60 mark, but, of course, 61 is not 70—so we got nowhere near, even in 2016, when you look at the percent of the voting age population. That is the backdrop of 2016: big turnout but not the turnout level we saw in 1960 or 1964 or a few other years.

Then, in October of 2019—this is just an example of why the voting measures we are debating here are important in a positive way for helping people to vote. In October 2019, Governor Tom Wolf, in Pennsylvania, signed Act 77. This was a historic and comprehensive election reform bill that sailed through the general assembly with strong bipartisan support.

Consider this: 133 Republicans voted for this bill, when you add up the number who voted in the State senate for this bill who were Republicans and then you add them to the number in the State house who were Republicans who voted for the bill. When you look at it across the whole general assembly—both parties, both houses—about 70 percent of the general assembly voted for it. So there is a lot of give-and-take and a lot of compromise, and they voted on a strong election reform bill.

Remember, that was October of 2019, well before the onset of the pandemic. But thank goodness we had that bill in place during the pandemic. In addition to enhancing election security, the Pennsylvania law, so-called Act 77, established “no excuse” absentee voting, better known today as mail-in voting. That applied to all voters. Finally, we had a mechanism that people could vote by mail, especially in a pandemic.

But, of course, when they voted on the bill in 2019, no one could have predicted how useful this legislation would be just a year later. This law was passed before COVID, but, of course, it was in the face of a once-in-a-century pandemic during the runup to the 2020 election, but it proved to be, of course, particularly important.

Now we get to 2020. We have had—over many, many years, many, many Presidential elections—nowhere near the percent of the voting-age population voting in the Presidential election compared to 1960 and 1964.

What happened in 2020? In the middle of a pandemic, when everyone was predicting, not just in my home State of Pennsylvania but other places as well, that turnout is going to be low because people are worried. They are worried about—and this is, of course, before vaccines. They are worried about contracting the virus. So they won't vote; the turnout is going to be low; and we will see what happens. Well, it didn't happen that way.

In Pennsylvania, in 2020, 6.9 million people voted—6.9 million people. That is an increase of roughly 800,000 votes from just 4 years earlier, and that was a pretty good turnout, a really good turnout in 2016. That 6.9 million votes amounted to 71 percent of the voting-age population of Pennsylvania, which was a point higher than 1960. No one—no one—thought that was possible. The only way it was possible was because we had better voting procedures in place.

In other words, if you look at it not just from 2016 to 2020 but even from the most recent election before 2016—2012, the 2012 election—the 2020 election from the 2012 was a 20-percent increase in voter turnout. So there can't be any dispute that Pennsylvania's record-setting 71-percent turnout was made possible only through expanding opportunities to vote for all voters—all voters young and old and so many others in between. Mail-in voting enabled almost 3 million Pennsylvanians to safely and securely cast their ballot.

By any measure, Pennsylvania should be celebrated as a success story of why these voting provisions help people vote. I hope that we never fall below that 71 percent of the voting-age population. That ought to be the standard for voting in a pandemic or not. In fact, that number should go higher when we are outside of the pandemic because people have different ways to vote.

A Republican-controlled legislature and a Democratic Governor came together and enacted strongly supported bipartisan election reform legislation to increase election security and ballot access.

Unfortunately, we know that the story doesn't end there. We all know what happened in the next chapter, and it is not unique to Pennsylvania. In response to the 2020 election, we have seen a new chapter, one focused on election subversion and voter suppression written in statehouses across the country. Again, it is attributable to the Big Lie about the 2020 election.

I want to note for the record that when we voted here on January 6, the evening of January 6, 2020—after the violent insurrection in the Capitol where we had people marching through this building, calling for the death of the Vice President, trying to locate Members of Congress to bring them harm, and also the whole effort was directed at stopping the counting of the electoral votes—but I want to note for the record that a number of Republican Senators, in fact, most Republican Senators, stood up on January 6 that evening to vote to certify the election.

Unfortunately, since January 6 of 2020, despite having voted the right way for democracy that night, a lot of these Republican Senators since then have only validated the Big Lie. They may have voted the right way that night for our democracy, but since that time, they haven't disputed the Big Lie enough—some of them, not all of them,

but some of them. And, of course, now they have at least turned a blind eye to efforts at the State level that I just spoke of.

I think it is also important for the record to note—I won't read all of this—but to note what the Associated Press found about the election of 2020. Here is a copy.

Mr. President, I ask unanimous consent to have printed in the RECORD this Associated Press story titled: “Far too little vote fraud to tip election to Trump, AP finds,” dated December 14, 2021, by Christina A. Cassidy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Associated Press, December 14, 2021]

#### FAR TOO LITTLE VOTE FRAUD TO TIP ELECTION TO TRUMP, AP FINDS

(By Christina A. Cassidy)

ATLANTA (AP).—An Associated Press review of every potential case of voter fraud in the six battleground states disputed by former President Donald Trump has found fewer than 475—a number that would have made no difference in the 2020 presidential election.

Democrat Joe Biden won Arizona, Georgia, Michigan, Nevada, Pennsylvania and Wisconsin and their 79 Electoral College votes by a combined 311,257 votes out of 25.5 million ballots cast for president. The disputed ballots represent just 0.15% of his victory margin in those states.

The cases could not throw the outcome into question even if all the potentially fraudulent votes were for Biden, which they were not, and even if those ballots were actually counted, which in most cases they were not.

The review also showed no collusion intended to rig the voting. Virtually every case was based on an individual acting alone to cast additional ballots.

The findings build on a mountain of other evidence that the election wasn't rigged, including verification of the results by Republican governors.

The AP review, a process that took months and encompassed more than 300 local election offices, is one the most comprehensive examinations of suspected voter fraud in last year's presidential election. It relies on information collected at the local level, where officials must reconcile their ballots and account for discrepancies, and includes a handful of separate cases cited by secretaries of state and state attorneys general.

Contacted for comment, Trump repeated a litany of unfounded claims of fraud he had made previously, but offered no new evidence that specifically contradicted the AP's reporting. He said a soon-to-come report from a source he would not disclose would support his case, and insisted increased mail voting alone had opened the door to cheating that involved “hundreds of thousands of votes.”

“I just don't think you should make a fool out of yourself by saying 400 votes,” he said.

These are some of the culprits in the “massive election fraud” Trump falsely says deprived him of a second term:

A Wisconsin man who mistakenly thought he could vote while on parole.

A woman in Arizona suspected of sending in a ballot for her dead mother.

A Pennsylvania man who went twice to the polls, voting once on his own behalf and once for his son.

The cases were isolated. There was no widespread, coordinated deceit.

The cases also underscore that suspected fraud is both generally detected and exceptionally rare. "Voter fraud is virtually nonexistent," said George Christenson, election clerk for Milwaukee County in Wisconsin, where five people statewide have been charged with fraud out of nearly 3.3 million ballots cast for president. "I would have to venture a guess that's about the same odds as getting hit by lightning."

Even in the state with the highest number of potential fraud cases—Arizona, with 198—they comprised less than 2% of the margin by which Biden won.

Trump has continued to insist that the election was fraudulent by citing a wide range of complaints, many of them involving the expansion of mail voting because of the pandemic. As the Republican weighs another run for president in 2024, he has waded into some GOP primary contests, bestowing endorsements on those who mimic his "Stop the steal" rhetoric and seeking to exact revenge on some who have opposed his efforts to overturn the results.

Trump's false claims of a stolen election fueled the deadly Jan. 6 attempted insurrection at the Capitol, have led to death threats against election officials and have become deeply ingrained within the GOP, with two-thirds of Republicans believing Biden's election is illegitimate. Republican lawmakers in several states have used the false claims as justification to conduct costly and time-consuming partisan election reviews, done at Trump's urging, and add new restrictions for voting.

The number of cases identified so far by local elections officials and forwarded to prosecutors, local law enforcement or secretaries of state for further review undercuts Trump's claim. Election officials also say that in most cases, the additional ballots were never counted because workers did their jobs and pulled them for inspection before they were added to the tally.

"There is a very specific reason why we don't see many instances of fraud, and that is because the system is designed to catch it, to flag it and then hold those people accountable," said Amber McReynolds, a former director of elections in Denver and the founding CEO of the National Vote at Home Institute, which promotes mail voting.

The AP's review of cases in the six battleground states found no evidence to support Trump's various claims, which have included unsupported allegations that more votes were tallied than there are registered voters and that thousands of mail-in ballots were cast by people who are not on voter rolls. Dozens of state and federal courts have rejected the claims.

White House spokesman Andrew Bates said the AP's reporting offered further proof that the election was fairly conducted and decided, contrary to Trump's claims.

"Each time this dangerous but weak and fear-ridden conspiracy theory has been put forward, it has only cemented the truth more by being completely debunked—including at the hands of elections authorities from both parties across the nation, non-partisan experts, and over 80 federal judges," he said.

Experts say to pull off stealing a presidential election would require large numbers of people willing to risk prosecution, prison time and fines working in concert with election officials from both parties who are willing to look the other way. And everyone somehow would keep quiet about the whole affair.

"It would be the most extensive conspiracy in the history of planet Earth," said David Becker, a senior trial attorney in the Justice Department's Civil Rights Division during the presidencies of Bill Clinton and George

W. Bush who now directs the nonprofit Center for Election Innovation & Research.

Separate from the fraud allegations are claims by Trump and his allies that voting systems or ballot tallies were somehow manipulated to steal the election. Judges across the country, of both parties, dismissed those claims. That includes a federal judge in Michigan who ordered sanctions against attorneys allied with Trump for intending to create "confusion, commotion and chaos" in filing a lawsuit about the vote-counting process without checking for evidence to support the claims.

Even Trump's former attorney general, William Barr, said a month after the election that there was no indication of widespread fraud that could change the result.

For its review, AP reporters in five states contacted roughly 340 election offices for details about every instance of potential voter fraud that was identified as part of their post-election review and certification process.

After an election is over, officials research voter records, request and review additional information if needed from the state or other counties, and eventually decide whether to refer potential fraud cases for further investigation—a process that can take months.

For Wisconsin, the AP relied on a report about fraud investigations compiled by the state and filed public records requests to get the details of each case, in addition to prosecutions that were not initially reported to the state elections commission. Wisconsin is the only one of the six states with a centralized accounting of all potential voter fraud cases.

A state-by-state accounting:

—ARIZONA: Authorities have been investigating 198 possible fraud cases out of nearly 3.4 million votes cast, representing 1.9% of Biden's margin of victory in the state. Virtually all the cases were in Pima County, home to Tucson, and involved allegations of double voting. The county has a practice of referring every effort to cast a second ballot to prosecutors, something other offices don't do. In the Pima cases, only one ballot for each voter was counted. So far, nine people have been charged in the state with voting fraud crimes following the 2020 election. Six of those were filed by the state attorney general's office, which has an election integrity unit that is reviewing an undisclosed number of additional cases.

—GEORGIA: Election officials in 124 of the state's 159 counties reported no suspicious activity after conducting their post-election checks. Officials in 24 counties identified 64 potential voter fraud cases, representing 0.54% of Biden's margin of victory in Georgia. Of those, 31 were determined to be the result of an administrative error or some other mistake. Eleven counties, most of them rural, either declined to say or did not respond. The state attorney general's office is reviewing about 20 cases referred so far by the state election board related to all elections in 2020, including the primary, but it was not known if any of those overlapped with cases already identified by local election officials.

—MICHIGAN: Officials have identified 56 potential instances of voter fraud in five counties, representing 0.04% of Biden's margin of victory in the state. Most of the cases involved two people suspected of submitting about 50 fraudulent requests for absentee ballots in Macomb, Wayne and Oakland counties. All the suspicious applications were flagged by election officials and no ballots were cast improperly.

—NEVADA: Local officials identified between 93 and 98 potential fraud cases out of 1.4 million ballots cast, representing less than one-third of 1% of Biden's margin of

victory. More than half the total—58—were in Washoe County, which includes Reno, and the vast majority involved allegations of possible double voting. The statewide total does not include thousands of fraud allegations submitted to the state by local Republicans. Republican Secretary of State Barbara Cegavske has said many of those were based "largely upon an incomplete assessment of voter registration records and lack of information concerning the processes by which these records are compiled and maintained." It's not known how many remain under investigation.

—PENNSYLVANIA: Election officials in 11 of the state's 67 counties identified 26 possible cases of voter fraud, representing 0.03% of Biden's margin of victory. The elections office in Philadelphia refused to discuss potential cases with the AP, but the prosecutor's office in Philadelphia said it has not received any fraud-related referrals.

—WISCONSIN: Election officials have referred 31 cases of potential fraud to prosecutors in 12 of the state's 72 counties, representing about 0.15% of Biden's margin of victory. After reviewing them, prosecutors declined to bring charges in 26 of those cases. Meagan Wolfe, administrator of the Wisconsin Elections Commission, said the number of cases in 2020 was "fairly run of the mill."

AP's review found the potential cases of fraud ran the gamut: Some were attributed to administrative error or voter confusion while others were being examined as intentional attempts to commit fraud. In those cases, many involved people who sought to vote twice—by casting both an absentee and an in-person ballots—or those who cast a ballot for a dead relative such as the woman in Maricopa County, Arizona. Authorities there say she signed her mother's name on a ballot envelope. The woman's mother had died a month before the election.

The cases are bipartisan. Some of those charged with fraud are registered Republicans or told investigators they were supporters of Trump.

Donald Holz is among the five people in Wisconsin who face voter fraud charges. He said all he wanted to do was vote for Trump. But because he was still on parole after being convicted of felony drunken driving, the 63-year-old retiree was not eligible to do so. Wisconsin is not among the states that have loosened felon voting laws in recent years.

Holz said he had no intention to break the law and only did so after he asked poll workers if it was OK.

"The only thing that helps me out is that I know what I did and I did it with good intentions," Holz said after an initial court appearance in Fond du Lac. "The guy upstairs knows what I did. I didn't have any intention to commit election fraud."

In southeast Pennsylvania, 72-year-old Ralph Thurman, a registered Republican, was sentenced to three years' probation after pleading guilty to one count of repeat voting. Authorities said Thurman, after voting at his polling place, returned about an hour later wearing sunglasses and cast a ballot in his son's name.

After being recognized and confronted, Thurman fled the building, officials said. Thurman's attorney told the AP the incident was the result of miscommunication at the polling place. Las Vegas businessman Donald "Kirk" Hartle was among those in Nevada who raised the cry against election fraud. Early on, Hartle insisted someone had unlawfully cast a ballot in the name of his dead wife, and state Republicans seized on his story to support their claims of widespread fraud in the state. It turned out that someone had cast the ballot illegally—Hartle,

himself. He agreed to plead guilty to a reduced charge of voting more than once in the same election. Hartle's attorney said the businessman, who is an executive at a company that hosted a Trump rally before the election, had accepted responsibility for his actions.

Additional fraud cases could still surface in the weeks and months ahead. One avenue for those is the Electronic Registration Information Center, a data-sharing effort among 31 states aimed at improving state voter rolls. The effort also provides states with reports after each general election with information about voters who might have cast ballots in more than one state.

In the past, those lists have generated small numbers of fraud cases. In 2018, for example, Wisconsin used the report to identify 43 additional instances of potential fraud out of 2.6 million ballots cast.

Official post-election audits and other research have shown voter fraud to be exceptionally rare. A nonpartisan audit of Wisconsin's 2020 presidential election found no evidence of widespread fraud and a Republican lawmaker concluded it showed that elections in the state were "safe and secure," while also recommending dozens of changes to how elections are run. In Michigan, Republican state senators issued a report earlier this year saying they had found "no evidence of widespread or systematic fraud" in the 2020 election.

Not only do election officials look for fraud, they have procedures to detect and prevent it. For mail voting, which expanded greatly last year because of the pandemic, election officials log every mail ballot so voters cannot request more than one. Those ballots also are logged when they are returned, checked against registration and, in many cases, voter signatures on file to ensure the voter assigned to the ballot is the one who cast it. If everything doesn't match, the ballot isn't counted.

"Often, we don't get to fraud," said Jennifer Morrell, a former local election official in Utah and Colorado who advises election officials on security and other issues. "Say we have evidence that something might not be correct, we ask the voter to provide additional documentation. If the person doesn't respond, the ballot isn't accepted. The fraud never happened."

If a person who requested a mail ballot shows up at a polling place, this will become apparent when they check in. Typically, poll workers either cancel the ballot that was previously issued, ensuring it's never counted, or ask the voter to complete a provisional ballot that will only be counted if the mail ballot is not.

In Union County, Georgia, someone voted in person and then election officials found their ballot in a drop box. Since the person had already voted, the ballot in the drop box was not counted and the case was referred to the state for investigation, Deputy Registrar Diana Nichols said.

"We can tell pretty quick whenever we pull up that record—wait a minute, this person has already voted," Nichols said. "I'm not saying it's foolproof. We are all human, and we all make mistakes. But as far as the system is set up, if you follow the rules and the guidelines set up by the state, I think it's a very good system."

The final step is the canvassing process in which election officials must reconcile all their counts ensuring the number of ballots cast equals the number of voters who voted. Any discrepancies are researched, and election officials provide detailed explanations before the election can be certified.

Often, an administrative error can raise questions that suggest the potential for fraud. In Forsyth County, Georgia, election

officials were asked by Arizona investigators for records confirming that a voter had also cast a ballot in Georgia last November. It turns out that voter didn't cast a ballot but was listed as having done so because their registration number was mistakenly associated with another voter's record in the county's system, according to a letter sent by county election officials.

In other cases, it could be as simple as a voter signing on the wrong line next to another person name in a paper pollbook at their polling place. Once researched, it quickly becomes clear no fraud occurred.

Republican lawmakers have argued there are security gaps in the process, using concerns of fraud to justify restrictions on voting laws. This has happened even in places where Republican lawmakers have pushed back against Trump's false claims and said the 2020 election was valid.

The review by Republican lawmakers in Michigan that found no systemic fraud cited various claims they had investigated. For example, senators were provided with a list of over 200 voters in Wayne County who were believed to be dead. Of these, the report noted, only two instances involved actual dead voters. The first was due to a clerical error in which a son had been confused with his dead father and the second involved a 92-year-old woman who had died four days before the election.

And yet, Republicans in the state are collecting signatures for a citizen initiative that would allow the GOP-controlled legislature to approve voting restrictions and bypass a veto by the Democratic governor. Republicans say mail voting needs to be more secure as more people embrace it.

"These bills will restore confidence in our elections," said GOP Rep. Ann Bollin, chairwoman of the Michigan House Elections and Ethics Committee and a former township clerk. "Voters want to know their vote will count and that they, and only they, are casting their own ballot."

Overall, 80% of counties in the six states reviewed by the AP reported no suspicious activity after completing their post-election reviews. This was true of both small and large counties, something experts said was to be expected given how rare voter fraud has been.

Limited instances of fraud do occur, as the AP review illustrates, but safeguards ensure they are few and that they are caught, said Ben Hovland, a Democrat appointed by Trump to serve on the U.S. Election Assistance Commission, which supports the state and local officials who administer elections.

"Every credible examination has shown there was no widespread fraud" in the 2020 presidential election, Hovland said. "Time and again when we have heard these claims and heard these allegations, and when you do a real investigation, you see that it is the exception and not the rule."

Mr. CASEY. Mr. President, I will just read the first paragraph of this Associated Press story dated December of this past year:

An Associated Press review of every potential case of voter fraud in the six battleground states disputed by former President Donald Trump has found fewer than 475—a number that would have made no difference in the 2020 Presidential election.

And, of course, Pennsylvania was one of those States that they looked at. We know what happened in the election, and we know why we can say with certainty that the Big Lie is nothing but a lie. After the election of 2020, in June of 2021, Pennsylvania's Republican-controlled legislature became one of the

many legislatures across the Nation passing a voter suppression law. Here is what they would have done if they were successful. If they would have passed it, this bill would have imposed unconstitutional voter ID restrictions, restricted mail-in voting—the mail-in voting they just voted in favor of in 2019, the same legislators—and this bill would essentially have eliminated the use of drop boxes. Furthermore, it rolled back several successful provisions of the bipartisan Act 77, including reducing the number of days permitted to register to vote, and eliminating an option to opt in to receive an annual mail-in ballot.

While this bill was, fortunately, vetoed by Governor Wolf, the threat to suppress the vote in Pennsylvania remains ever present as the legislature continues to work on another omnibus election bill.

Once again, the Big Lie animates the work of Republican politicians in Pennsylvania and throughout the country. It is not simply a lie; it is a lie that engenders fear. Sometimes fear of losing your election in a primary—we understand that fear. We have seen it play out here as well. But sometimes the fear is deeper than that; that your own security will be at risk if you don't espouse the Big Lie.

In light of these efforts, it is fair to question, How did Pennsylvania go from a shining example of bipartisan election reform in 2019 to ground zero in the fight against voter suppression and election misinformation in 2021 and continuing into 2022?

In the months leading up to the 2020 general election, the former President led an assault on our election system, sowing seeds of division, and, without evidence, questioning the legitimacy of voting methods, including mail-in voting, which has been utilized in the Nation for decades. By the way, mail-in voting allowed us to set a turnout record, as I said before, in Pennsylvania, for the first time in 60 years to go that high—of the voting-age population.

The former President lost his election to President Joe Biden, but instead of honorably conceding the race, he created the Big Lie that the election had been stolen from him by raising unfounded allegations of voter fraud, election irregularities in Pennsylvania and across the Nation. Of course, there is simply no evidence to justify these claims of widespread voter fraud or irregularities, as suggested in the AP story and in their investigation that undergirds their conclusions that support that.

The Big Lie is the fraud. If you want to talk about fraud, that is where it is. That is the fraud. The Big Lie is the falsehood and the con job. It is a deliberate, ongoing attempt to sow instability. We know that over 60 cases in court after court—from State courts to district courts, to circuit courts, to the U.S. Supreme Court—all those courts refused to indulge the unprecedented,

loopy, legal arguments and false conspiracy theories that were put forward by the President's campaign and some Republicans after the election.

Despite the lack of any evidence to support claims of widespread fraud, we continue to hear these baseless conspiracy theories in calls to roll back Pennsylvania's Act 77 for one reason and one reason only: to disenfranchise voters. So in order to please one man, rather than support positive reforms that worked in Pennsylvania, that increased turnout in Pennsylvania exponentially like no other law has, lawmakers have introduced, all over the country now, some 400 voter suppression bills.

There are three types of corrupt proposals that I would like to summarize. No. 1, shifting election authority; that is one measure of a corrupt practice. No. 2, attacking election workers; that is corrupt, and that is what they are trying to do. And No. 3, restricting mail-in voting.

First and foremost, many of the bills attack the most fundamental foundational element of our democracy: administering our elections.

According to a report from Voting Rights Lab, in September of 2021, more than 180 of the bills introduced across the country are an effort to subvert our current election administration. Some of these bills would allow the legislature or other partisan actors—really, purveyors of the Big Lie—to exert greater control over elections and interfere with local election administrators.

For example, Georgia's SB 202, which has already been enacted into law—not just proposed—this law will allow a partisan State election board to remove and replace local election administrators. The new law empowers the State legislature—the State legislature—to appoint the chair of the election board, ensuring that the majority of the board reflects the partisan will of the legislature.

We have also seen numerous lawmakers, including in Pennsylvania, initiate or attempt to initiate partisan election “audits” into the 2020 election results without any evidence of fraud. The better word for this type of approach is “fraudit.” That is what it is. It is a fraudulent attempt, and it is nothing more than a “fraudit.”

These efforts fueled by the Big Lie have wasted millions of taxpayer dollars, money solely in an attempt to further call into doubt the 2020 election and create instability in our elections. Republican effort to shift election authority undermines people's faith in elections, and it injects partisanship into our election administration.

The second area of corruption we have also seen in some of these bills is efforts to pass legislation that create or increase civil and criminal penalties against election workers. Election officials across the Nation—Republicans and Democrats alike, from blue counties and red counties—should be ac-

corded the respect and commendation they deserve. These are public servants. They should not be subjected to threats, either legal or otherwise. In the middle of the pandemic, these same Americans risked their own health and their families' health to ensure that the elections were conducted safely and efficiently. These Americans—Republicans and Democrats and Independents—did their job honorably. Rather than receiving appreciation for their efforts, they and their families have been threatened with threats of violence, fueled by the deliberate falsehoods of which I spoke before.

The same falsehoods spread by politicians here in Washington and in State legislatures across the country. These threats were particularly relevant in my home State of Pennsylvania when then-Philadelphia Commissioner, Al Schmidt, a Republican, his family, and his colleagues were subjected to death threats—death threats—for doing their job.

This is a Republican elected official in Philadelphia subjected to death threats after election day, simply because he was trying to fulfill—and the others who worked with him were trying to fulfill—an essential part of their basic duty, which is counting the votes in that city.

So despite the widely reported threats against our election officials and concerns about mass resignations due to the stresses on our democratic institutions, Republican legislatures have enacted laws that further threaten these officials with felony prosecutions, and they also threaten civil penalties for not complying with the election rules, even inadvertent or technical mistakes.

We have never seen this before in America, but that is what we are talking about today. So these attacks are a clear attempt to further undermine our democracy and counter the efforts of many election officials to help make voting safer and easier during the COVID-19 pandemic.

Finally, the third issue, which I would consider a corrupt practice that is embedded into these bills, is the question of mail-in voting. As I have already shared, Pennsylvania's record turnout in 2020 was a direct result of the bipartisan efforts, 133 Republican legislators voting for mail-in balloting, so that we would have universal mail-in voting, and early voting in addition to mail-in voting.

Rather than embracing its success, Republican lawmakers in Pennsylvania and across the country have worked to greatly restrict or eliminate—or eliminate—mail-in voting through a variety of methods. Seven States have reduced the timeframe in which voters can request mail-in ballots. Another four States limited the use of ballot drop boxes.

Some States have gutted or tried to gut the ability of voters to automatically register to receive a mail-in ballot for every election they are eligible to vote in.

Republican politicians just keep on lying about the 2020 election. Not a single Republican politician has come forward with evidence of the type of widespread systemic voter fraud that would necessitate any of the changes that these laws are predicated on and these proposals are predicated on.

In reality, these changes are about one thing and one thing only—making it more difficult to cast a ballot.

Every single American should be alarmed by these efforts. If we allow voter suppression efforts to go unchecked, they will, eventually and simply, impact everyone.

I think it was Martin Luther King who talked about injustice—an injustice that would be validated by these corrupt proposals. “Injustice anywhere is a threat to justice everywhere.”

Voter suppression efforts would make it harder. Here are just a couple of examples from my home State, and this is true of a lot of States. Voter suppression laws make it harder for a 90-year-old living in rural Pennsylvania who can't get to her county election bureau to vote or to a polling place. She will have a harder time voting in Pennsylvania and in every other State, if Pennsylvania goes in the direction of some of these other States.

Pennsylvania has over 800,000 veterans who fought for our freedoms, including the right to vote, the freedom to vote. Shouldn't that veteran continue to have the option to vote early or to vote by mail? After they have served our Nation, shouldn't they continue to have that option? Or should we just go back to the old ways where that veteran is limited to one day a year, for a certain number of hours a year, to vote in a general election?

So these proposals—these voter suppression and subversion proposals—will impact everyone. It will impact a farmer in Pennsylvania who might have a very busy day on election day and can't get to vote for one reason or another.

So, if they are not able to vote, their vote gets cancelled out because we decided not to have early voting, which we have now; we decided not to have mail-in ballots, which we have now? All in the service of one man and one Big Lie, that is what this is all about.

So we can't go back to those days.

How about just another example from Pennsylvania? We have had a long tradition where men and women serving overseas have voted by absentee ballot. Guess what an absentee ballot is? An absentee ballot is a mail-in ballot. It is the same thing. We just broadened the category of folks who could use that same method.

So do we want to go back to a time when we can't have the kind of mail-in ballots that we had in 2020 that led to that great turnout? And it is entirely possible that we could go back to a time when even the votes of men and women serving overseas would be put at risk, because when you eliminate

mail-in ballots in a State like Pennsylvania, you are eliminating absentee ballots, as well, by doing that.

So I don't think we want to do that to our fighting men and women. So we can't go back to the days when farmers and small business owners and veterans and busy moms juggling their kids' schedules and seniors who may have trouble voting and need another option to vote—we can't go back to those days when they couldn't vote if they didn't have the time on that one single day.

It is one of the reasons why we had such low voter turnout, even in Presidential elections, for all these years in Pennsylvania and in so many other States. So we know what we have to do. We have to go back to our founding principles. And voting is a foundational pillar of our democracy. And, as elected officials, it is our responsibility to do all we can to expand voter access and remove institutional barriers to voting.

But we have got to be clearer about what is happening. Our democracy, by virtue of these suppression bills, is under siege right now. The attack here on January 6 continues. What was a violent attack on that day is now in the form of legislation to attack our elections, to attack the right to vote, to make it harder to vote.

So attacking democracy at an earlier stage was always met by the right response. Today, that right response—the correct response—is to pass the Freedom to Vote and the John Lewis Act to prevent these kinds of attacks on voting rights.

It would protect election officials by criminalizing intimidation, threats, or coercion of election officials. It would mandate systematic, nonpartisan, risk-limiting audits to combat against the unfounded partisan approaches by Republicans.

It would create national standards for early voting, mail voting, voting restoration, voter identification, and voter registration. It would also include some of the provisions of my bill—the Accessible Voting Act—to create an accessible voting experience for every voter, ensuring that the needs of people with disabilities are met.

That is another category of Americans whose votes will be suppressed—people with disabilities—if these Republicans get their way.

This bill we are trying to pass reflects feedback from State and local officials to ensure that people responsible for implementing these reforms can do so effectively.

And, furthermore, it would restore the full strength of the Voting Rights Act of 1965 after the Supreme Court gutted several of the Voting Rights Act provisions in recent years.

These provisions work hand in hand to improve access to the ballot and protect against election subversion. We should restore the Senate at the same time, by allowing plenty of time for debate, as well as a robust amendment process, so the minority party in the

Senate has full opportunity to debate issues like voting rights.

So we have got to do more than just simply move a bill forward tomorrow on voting rights. We should also change the Senate rules appropriately to allow that bill to be passed by a majority after we have a robust debate. Debating voting rights has never been more important. The time to do that is now.

I yield the floor.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Utah.

H.R. 5746

Mr. ROMNEY. Madam President, I have enjoyed the discussion which has been going on with regard to this legislation and have a couple of comments. One is, given the interest and the priority of and the importance of elections, it would have been helpful, prior to preparing this legislation for a vote, if those that were the drafters of this legislation actually invited a Republican—any Republican—to sit down and perhaps negotiate and see if we could find some common ground.

But instead, the Democrat leadership dusted off what they had written before on an entirely partisan basis and then are shocked—shocked—that Republicans don't want to support what they drafted.

Now, I note that political overstatement and hyperbole may be relatively common, and they are often excused. But the President and some of my Democratic colleagues have ventured deep into hysteria. Their cataclysmic predictions for failing to support their entirely partisan election reform—worked out entirely by themselves, without any input whatsoever from any single person on my side of the aisle—they are far beyond the pale.

Now, they are entirely right to call out Donald Trump's Big Lie about the last election being stolen. But in the same spirit of honesty, they should not engage in a similar lie that Republicans across the country are making it much harder for minorities to vote and, thus, that the Federal government must urgently displace centuries of constitutional practice that give States primary control over elections.

So dire are the consequences, they claim, that this must be done by shredding the rules of our senior legislative body. They point to Georgia as evidence of political election villainy. The President went there to deliver his crowning argument. But, as has been pointed out by many before me, it is easier for minorities—and everybody else for that matter—to vote in Georgia than it is in the President's home State of Delaware and in Leader SCHUMER's home State of New York.

In Georgia there are more days of early voting, and in Georgia there is no-excuse absentee voting by mail.

They do decry Georgia's prohibition of political activists approaching voters in line with drinks of water, but the

same prohibition exists in New York. And why? So that voters don't get harassed in line by poll activists.

Just like Georgia and New York, many States keep poll activists at length from voters. My Democrat colleagues conveniently ignore the fact that the 1965 Voting Rights Act prohibition of any voting practice or procedure that discriminates against minorities is still in effect. Even today, the Justice Department is suing two States under that law.

Protection of minority voting is already required by law. Protection of minority voting is a high and essential priority for me and for my Senate colleagues on both sides of the aisle.

To be clear, I want an election system that allows every eligible citizen in every State to be able to exercise their right to vote in every single election.

So, putting aside the hysteria, let me explain why I don't support the Democrats' bill. First, their bill weakens voter ID. I, along with a great majority of voters of all races, favor voter photo ID. Their bill makes it easier to cheat by accommodating unmonitored vote collection boxes. Their bill opens the gates to a flood of lawsuits pre- and post-election, and it weakens the safeguards of voter registration.

There are other things in the Democrats' bill that I don't support. I am not in favor of Federal funding for campaigns. I also don't think States should be required to allow felons to vote.

Most fundamentally, I think by reserving election procedures to the States, the Founders made it more difficult for a would-be authoritarian to change the law for voting in just one place—here in Washington—to keep himself in office.

Let me add that I think the Democrats' bill is insufficiently focused on the real threat, and that is the corruption of the counting of the ballots, the certification of elections, and the congressional provisions for accepting and counting a slate of electors. This is where the apparent conspirators were focused in their attempt in the last election to subvert democracy and prevent the peaceful transfer of power.

Now, I respect Democrats who disagree with my point of view. I hope they will offer me the same respect. People who want voter ID are not racists. People who don't want Federal funding of campaigns aren't Bull Connor. People who insist that vote drop boxes be monitored aren't Jefferson Davis.

The PRESIDING OFFICER. The Senator from California.

H.R. 5746

Mr. PADILLA. Madam President, just yesterday, we, the Nation, celebrated the moral vision and exceptional courage of the Reverend Dr. Martin Luther King, Jr.

Born and raised under the violent oppression of Jim Crow segregation, Dr.